

Title I and McKinney-Vento



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Family Homelessness Data

National Data:

- The U.S. “doubled up” population increased by 13 percent from 6 million to 6.8 million between 2009 and 2010 (which represents a 50 percent increase from 2005 to 2010 reflecting the impact of the economic downturn)
- 567,334 persons in families were homeless in shelters or transitional housing between October 2009 and September 2010
- 42 percent of homeless children living in shelters are under the age of six
- Children are the fastest-growing segment of the homeless population
- Nearly 85 percent of homeless families are headed by single mothers

*National Alliance to End Homelessness, 2010



Student Homelessness Data

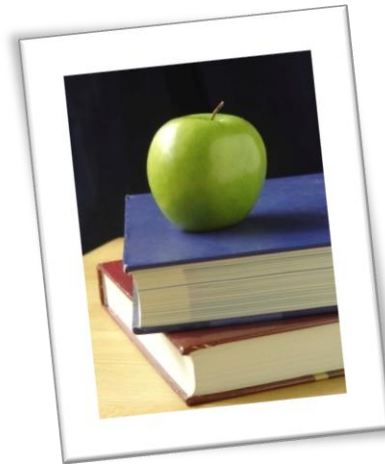
- U.S. public schools enrolled 1,168,354 children and youth experiencing homelessness during the 2011-12 school year, up 10 percent from the 2010-11 total of 1,065,794 and 24 percent from the 2009-10 total of 939,903*
- Wisconsin public schools enrolled 16,709 children and youth experiencing homelessness during 2012-13, up 8 percent from the 2011-12 total of 15,504 and 25 percent from the 2010-11 total of 13,364**
- *Note:* The data provided does not reflect the impact of sequestration. Anecdotally, many districts in Wisconsin have reported that they identified more students experiencing homelessness by December 2013 than they did all of 2012-13

*National Center for Homeless Education, 2013

**Wisconsin Department of Education ESEA Consolidated End-of-Year Report, 2012-13

The McKinney-Vento Act

- Subtitle VII-B of the McKinney-Vento Homeless Assistance Act; reauthorized by Title X, Part C of ESEA
- Main themes of the McKinney-Vento Act
 - School access
 - School stability
 - Support for academic success
 - Child-centered, best interest decision making
 - Critical role of the local homeless education liaison



Barriers to Education for Children and Youth in Homeless Situations

- **Enrollment requirements**
(residency, school records, immunizations, legal guardianship)
- **High mobility** resulting in lack of school stability and education continuity
- Lack of **access** to programs
- Lack of **transportation**
- Lack of **school supplies**, clothing, etc.
- **Poor health**, fatigue, hunger
- Prejudice and **misunderstanding**

Homelessness Defined

The term “homeless” children and youth means:

“Children who lack a fixed, regular, and adequate nighttime residence—”

So, what exactly is a fixed, regular, and adequate nighttime residence?

Helpful Definitions

- **FIXED:** A fixed residence is one that is stationary, permanent, and not subject to change
 - **REGULAR:** A regular residence is one which is used on a predictable or routine basis
 - **ADEQUATE:** An adequate residence is one that is sufficient for meeting both the physical and psychological needs typically met in home environments
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- These definitions come from the National Center for Homeless Education in their publication: [Determining Eligibility for Rights and Services Under the McKinney-Vento Act.](#)

Who is covered?

Common homeless living situations include:

- Sharing the housing of others due to loss of housing, economic hardship, or similar reason (doubling up)
- Living in motels, hotels, camping grounds due to lack of adequate alternative accommodations
- Living in emergency or transitional shelters
- Abandoned in hospitals

Who is covered? (cont.)

- Children *awaiting* foster care placement
- Living in a public or private place not designed for humans to live
- Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, etc.
- Migratory children living in the above circumstances
- Unaccompanied youth living in the above circumstances



Local Homeless Education Liaisons

- Every LEA must designate a liaison for students in homeless situations
- Responsibilities
 - Ensure that children and youth in homeless situations are identified
 - Ensure that homeless students are IMMEDIATELY enrolled in and have full and equal opportunity to succeed in school
 - Link with educational services, including preschool and health services



Local Homeless Education Liaisons

Responsibilities (cont.)

- Inform parents, guardians, or youth of educational and parent involvement opportunities
- Post public notice of educational rights
- Resolve disputes
- Inform parents, guardians, or youth of transportation services, including to the school of origin

Access to Services

- Students experiencing homelessness have the right to access all educational services for which they are eligible, including special education, gifted and talented, English language learners, vocational/technology, and school nutrition programs
- Undocumented children and youth have the same right to attend public school as U.S. citizens and are covered by the McKinney-Vento Act to the same extent as other children and youth (*Plyler v. Doe*)

Access to Services (cont.)

- USDA policy permits liaisons and shelter directors to immediately obtain free school meals for students by providing a list of names of students experiencing homelessness with effective dates
- The 2004 reauthorization of IDEA includes amendments that reinforce timely assessment, inclusion, and continuity of services for homeless children and youth who have disabilities

Other Services and Supports

- In addition to access to educational programs, homeless students are eligible for additional services and supports, including:
 - School supplies
 - Fee waivers
 - Tutoring programs
 - Before/after school programs
 - Referral to community and social services
 - Transportation to/from the school of origin
 - Title IA services and supports

Immediate Enrollment

Students experiencing homelessness are entitled to **immediate enrollment** (defined as attending and fully participating in school) even if they do not have:*

- School records
- Medical records **including immunization records**
- Proof of residency
- Guardianship papers
- Birth certificate, or other documents normally needed

*After enrollment, the homeless liaison will assist the parent, guardian or unaccompanied youth in obtaining necessary documents.

School Stability—Key Provisions

- Children and youth experiencing homelessness have the right to stay in their school of origin, enroll in any public school that students living in the same attendance area are eligible to attend or Open Enroll in any district that has space, according to their best interest
- ***School of origin*** defined: the school attended when permanently housed or in which last enrolled
- Best interest—keep homeless students in their schools of origin, to the extent feasible, unless this is against the parents' or guardians' wishes

Why is it so important for a child to stay in the school of origin?

- It is a widely held belief that it takes a child four to six months to recover academically after changing schools.
- High mobility impedes students' academic and social growth
- Highly mobile students frequently fare poorly on standardized tests
- Therefore, the default position is that remaining in the school of origin is in students' best interests

Transportation

- Districts must transport homeless students to and from the school of origin, at a parent's or guardian's request (or at the liaison's request for unaccompanied youth)
- If the student's temporary residence and the school of origin are in the same district, that district must arrange transportation
- If the student is living outside the district of origin, the district where the student is living and the district of origin must determine how to divide the responsibility and cost, or they must share the responsibility and cost equally



Transportation Strategies

- Re-route school buses
- Provide passes for public transportation
- Reimburse parents or unaccompanied youth for gas
 - For a sample gas reimbursement agreement, see http://homeless.dpi.wi.gov/hmls_forms
- Use approved taxi or van services
- In cross district cases homeless liaisons collaborate to determine appropriate and cost effective arrangements

Inter-District Transportation Agreements

- Several districts in Wisconsin have created Inter-District Transportation Agreements. This facilitates communication and efficient transportation as well as reduces the potential for inter-district disagreements and misunderstandings.
- For sample agreements please visit:
http://homeless.dpi.wi.gov/hmls_forms

Feasibility—USDE Sample Criteria

- Continuity of instruction
 - Age of the child or youth
 - Safety of the child or youth
 - Length of stay at the shelter
 - Likely area where family will find permanent housing
 - Student's need for special instructional programs
 - Impact of commute on education
 - School placement of siblings
 - Time remaining in the school year
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- There is no specific time or distance limit placed on transporting a homeless child to the school of origin; consider the unique situation of the student and how the transportation will affect the student's education
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- **FEASIBILITY IS A CHILD-CENTERED DECISION. THE COST OF THE TRANSPORTATION MAY NOT BE A FACTOR IN THE FEASIBILITY CRITERIA.**

Resolution of Disputes—Key Provisions

- Every district must establish dispute resolution procedures that include specific McKinney-Vento provisions
- When a dispute over school selection arises, the student must be allowed to attend the school selected (either the school of origin or immediate enrollment in the attendance area school) while the dispute is being resolved
- If transportation to/from the school of origin is necessary to remain in the school, this must be provided pending resolution of the dispute
- Liaisons must assist unaccompanied youth with school selection and the dispute resolution process

Homeless Unaccompanied Youth— Key Provisions

- Definition: Youth who meet the definition of homeless and are not in the physical custody of a parent or guardian (e.g. youth living with relatives on an emergency basis, youth living from place to place [“couch surfing”], runaway, or throwaway youth)
- Youth refers to students of any age, including students over 18
- School personnel must be made aware of the specific needs of runaway and homeless youth

Title I-A and McKinney-Vento

- A child or youth who is homeless and is attending any school in the district is automatically eligible for Title I A services
- LEAs must reserve (or set aside) Title I-A funds (or use local or state funds) as are necessary to provide services comparable to those provided to children in Title I A schools to serve homeless children who attend Non-Title I Schools, including providing educational support services to children in shelters and other locations where homeless children may live

Determining the Title I Set-Aside

- The department advises districts to consider reserving a sufficient amount of their Title I funds to provide comparable supplementary academic and support services to homeless students who may be enrolled, at any time during the school year, in non-Title I schools, or in grades not included in the district's Title I programming. There is no federally mandated formula, this amount can be determined in several ways:
 - **Method #1: Needs Assessment** - Identify homeless students' needs, and fund accordingly. The best way to determine the set aside is to figure out how much it costs to pay for the services that homeless children in your district need and reserve that amount of Title I, Part A funds to pay for them
 - **Method #2: Per Pupil Amount** - Obtain count of homeless students, and multiply by Title I, Part A per-pupil allocation

Using Title IA Set-Aside Funds

- Set-aside funds can be used to provide:
 - Services to homeless students attending Title IA or non-Title IA schools that are comparable to those provided to non-homeless students in Title I schools
 - Services to homeless students that are not ordinarily provided to other Title I students and that are not available from other sources, according to the need of the homeless student (*i.e. comparable may not mean identical*)
- Title I funds should be used to support the student in meeting the state's academic standards

Permissible Usages:

- Used only when not available from other sources
- Partial list: *
 - Clothing/shoes (school uniform/dress code/gym uniform)
 - Cap and gown
 - Fees to participate in the general education program
 - School supplies
 - Birth certificates necessary to enroll in school
 - Medical/dental services (glasses, hearing aids, immunizations)
 - Counseling for issues affecting learning
 - Outreach services to students living in shelters, motels, and other temporary residences
 - Extended learning time or tutoring support
 - Supporting parent involvement
 - Supporting the position of the local liaison

* Taken from ARRA Guidance, available at: www2.ed.gov/policy/gen/leg/recovery/guidance/titlei-reform.pdf

Prohibited Use of Title I Funds:

- Extras like yearbooks, letter jackets, or class rings
- Rent
- Utilities
- Clothing for parents
- Currently, transportation to/from the school of origin for the regular school day*

*According to the 2014 Omnibus Spending bill, Title I funds may be used to offset the excess cost of transporting homeless students to/from the school of origin, effective July 1, 2014. DPI will share further information regarding this change upon receipt of USDE guidance.

Data Reporting Requirements

- **Required by USDE for ALL districts**
 - Student by grade level, primary nighttime residence, and number of unaccompanied youth
 - DPI collects this data through the ESEA Consolidated End-of-Year Report and shares it with the USDE in the annual Consolidated State Performance Report
- **Required by Title I:**
 - Identify all homeless students in Non-Title I schools
 - Track academic achievement of homeless students in Non-Title I schools
 - An established, written method of determining TI set aside based on need
 - DPI collects this data during ESEA monitoring

Subgrants - Wisconsin

- Services provided with McKinney-Vento grant funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the school's regular academic program

- Appleton Area School District
- Ashwaubenon School District
- Beloit School District
- Eau Claire Area School District
- Fond Du Lac School District
- Green Bay Area School District
- Janesville School District
- Kenosha Unified School District
- Madison Metropolitan School District
- Marinette School District
- Middleton-Cross Plains Area School District
- Milwaukee Public Schools
- Racine Unified School District
- Sheboygan Area School District
- Superior School District
- Tomahawk School District
- West Allis-West Milwaukee School District
- Wisconsin Rapids Public Schools
- CESA 6

Helpful Resources (Bibliography)

- National Center for Homeless Education (NCHE)
800-308-2145 <http://serve.org/nche>
- National Law Center on Homelessness and Poverty (NLCHP)
202-638-2535 <http://www.nlchp.org>
- National Association for the Education of Homeless Children and Youth (NAEH CY)
202-364-7392 <http://www.naehcy.org>

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